

Page 2

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A P P E A R A N C E S:

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3 NATHANIEL B. SMITH, ESQ.
4 Attorneys for Plaintiff
111 Broadway
5 New York, New York 10006

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JOHN LENOIR, ESQ.
8 Attorneys for Plaintiff
829 Third Street NE
9 Washington, D.C. 20002

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NEW YORK CITY LAW DEPARTMENT
11 OFFICE OF CORPORATION COUNSEL
Attorneys for Defendant
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13 New York, New York 10007
14 BY: SUZANNA PUBLICKER METTHAM, ESQ.

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16 Attorneys for Defendant
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18 BY: WALTER A. KRETZ, JR., ESQ.

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20 Attorneys for Defendant
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21 2001 Marcus Avenue
Lake Success, New York 11042
22 BY: BRIAN LEE, ESQ.

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(Continued.)

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Page 3

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(Continued.)

2

3 CALLAN, KOSTER, BRADY & BRENNAN, LLP
4 Attorneys for Defendant
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6 One Whitehall Street
7 New York, New York 10004
8 BY: PAUL CALLAN, ESQ.

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10 MARTIN CLEARWATER & BELL, LLP
11 Attorneys for Defendant
12 JAMAICA HOSPITAL MEDICAL CENTER
13 220 East 42nd Street
14 New York, New York 10017
15 BY: GREGORY J. RADOMISLI, ESQ.

16

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18 Also Present: Magdalena Bauza

19

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1 S T I P U L A T I O N S:

2 IT IS HEREBY STIPULATED AND AGREED by
3 and between the attorneys for the respective
4 parties hereto, that this examination may be
5 sworn to before any Notary Public.

6

7 IT IS FURTHER STIPULATED AND AGREED
8 that the filing and certification of the said
9 examination shall be waived.

10

11 IT IS FURTHER STIPULATED AND AGREED
12 that all objections to questions, except as to
13 the form of the question, shall be reserved
14 for the time of trial.

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Page 5

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2 MR. RADOMISLI: Pursuant to
3 federal rules we reserve the right to
4 review and correct the deposition
5 transcript.

6 MR. SMITH: We are going on the
7 record, it's 10:24 and we're going to
8 begin the deposition of Ms. Marquez.

9 | THE WITNESS: Yes.

10 MR. SMITH: At my office 111
11 Broadway. It's the 14th of May. I
12 have an E-mail from Shoni, S-h-o-n-i,
13 Williams, saying that she is Mr. Paul
14 Callan's secretary and he is going to
15 be a little late and we can start
16 without him and so based that we are
17 going to go ahead and do that.

18 Would you mind swearing in the
19 witness, please.

20 J E S S I C A M A R Q U E Z, a Witness
21 herein, having been first duly sworn by a
22 Notary Public within and for the State of
23 New York, was examined and testified as
24 follows:

25

Page 6

1 JESSICA MARQUEZ

2 EXAMINATION BY

3 MR. SMITH:

4

5 Q. Will you state your name and
6 address for the record, please.

7 A. Jessica Marquez, 5901 Central
8 Avenue, second floor, Glendale, New York
9 11385.

10 Q. Is that a work or home address?

11 A. Home address.

12 Q. Good morning, Ms. Marquez. My
13 name is Nathaniel Smith. I represent Adrian
14 Schoolcraft. He has brought a lawsuit
15 against several parties pertaining to a lot
16 of things and I am going to ask you some
17 questions this morning and maybe for a part
18 of this afternoon and there is a few ground
19 rules I just want to go over with you. I'm
20 sure your counsel has discussed them with
21 you, but I just want to make sure that some
22 of the basic fundamentals are clear; okay?

23 A. Yes.

24 Q. The first thing is that if I ask
25 you a question and you're not sure what I am

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Page 7

1 JESSICA MARQUEZ
2 asking you or you're not sure what the
3 question means or if there's anything about
4 that you're not sure about, please let me
5 know; okay?

6 A. Okay.

7 Q. Because you've just been sworn
8 to tell the truth --

9 A. Right.

10 Q. -- and it's important for you
11 and for me and for the record, for everybody
12 else that the record be clear and that we
13 get accurate and clear information from you;
14 okay?

15 A. Yes.

16 Q. All right, so I will repeat
17 myself, if there's anything that's unclear
18 about my questions, let me know and I will
19 rephrase it.

20 A. Okay.

21 Q. If I can; okay?

22 A. Hm-mm.

23 Q. You have ever been deposed
24 before?

25 A. Yes.

Page 235

1 JESSICA MARQUEZ

2 MR. LEE:

3 Q. I'm Brian Lee, I represent Dr.
4 Isakov. When you get to the hospital, this
5 report marked as Exhibit 125, is given to
6 the triage nurse?

7 A. Yes.

8 Q. And did you provide any
9 information to the triage nurse, other than
10 the information contained on this form?

11 A. No.

12 Q. Did you speak to any other nurse
13 or any other medical personnel about Mr.
14 Schoolcraft?

15 A. Just the registrar, so that they
16 could register him into the system for the
17 triage nurse.

18 Q. Did you provide any information
19 about the incident at Mr. Schoolcraft's
20 home?

21 A. No.

22 Q. Did you ever speak with a Dr.
23 Isakov about Mr. Schoolcraft?

24 A. No.

25 Q. Did you ever speak with Dr.

Page 1

CERTIFIED
TRANSCRIPT

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 ADRIAN SCHOOLCRAFT,

4 Plaintiff,

5

Case No:

6 - against - 10 CV 06005

7

8 THE CITY OF NEW YORK, ET AL.,

9

Defendants.

10 -----X

11 111 Broadway
12 New York, New York

13

14 May 15, 2014

15

16 10:28 a.m.

17

18 DEPOSITION OF SALVATORE SANGENITI, pursuant to
19 Notice, taken at the above place, date and
20 time, before DENISE ZIVKU, a Notary Public
21 within and for the State of New York.

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THE CITY OF NEW YORK
100 Church Street
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BY: SUZANNA PUBLICKER METTHAM, ESQ.

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Attorneys for Defendant
DR. ISAK ISAKOV
2001 Marcus Avenue
Lake Success, New York 11042
BY: BRIAN LEE, ESQ.

(Continued.)

Page 3

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6 One Whitehall Street
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8 BY: STEFANI MILLER, ESQ.

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12 Attorneys for Defendant
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2 Q. This is the videotaped
3 deposition of Sal Sangeniti.

4 A. Yes.

5 MR. SMITH: And we are at the my
6 office at 111 Broadway. It's May 15,
7 2014.

8 MR. RADOMISLI: I just want to
9 state pursuant to the Federal Rules, we
10 reserve the right to review and correct
11 the deposition transcript and also,
12 it's a videotaped deposition. The
13 deposition just happens to be you're
14 videotaping it.

15 MR. SMITH: Right. Understood.
16 I am videotaping the deposition and the
17 court reporter is here taking the
18 deposition.

19 Would you mind swearing in the
20 witness.

21 S A L V A T O R E S A N G E N I T I, a
22 Witness herein, having been first duly sworn
23 by a Notary Public within and for the State
24 of New York, was examined and testified as
25 follows:

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1 S. SANGENITI

2 EXAMINATION BY

3 MR. SMITH:

4

5 Q. Will you state your name and
6 address for the record, please.7 A. Salvatore Sangeniti,
8 S-a-n-g-e-n-i-t-i and the address 8 Vining,
9 "V" as in Victor, i-n-i-n-g, Street and
10 that's in Centereach, C-e-n-t-e-r-e-a-c-h,
11 New York 11720.

12 Q. Centereach is -- where is that?

13 A. Suffolk County.

14 Q. Suffolk County?

15 A. In the town of Brookhaven.

16 Q. Good morning.

17 A. Good morning.

18 Q. My name is Nathaniel Smith, I
19 represent Officer Adrian Schoolcraft in a
20 lawsuit he's brought against several
21 defendants relating to some events that
22 occurred before, after and on October 31,
23 2009.24 I am going to be asking you some
25 questions this morning and there is a few

Page 7

1 S. SANGENITI

2 rules I just want to go over with you before
3 we start; okay?

4 A. Hmm-mm.

5 Q. One of the rules is that it's
6 best that you answer a question with a yes
7 or a no, because an uh-huh, uh-uh or a nod
8 of the head can be ambiguous and you don't
9 want to be ambiguous, because you're under
10 oath; okay?

11 A. Yes.

12 Q. And if you do say uh-huh or
13 uh-uh, I will or maybe the court reporter
14 will ask you to say is that a yes or a no,
15 because everybody does it, it's pretty
16 normal; okay?

17 A. Okay. Sure.

18 Q. One of the other really
19 important rules is that you let me know if
20 there is anything about my question that's
21 unclear; is that okay?

22 A. Sure.

23 Q. The reason why that's important
24 is like I said, you're under oath, if I ask
25 you a question and you answer it, the record

1 S. SANGENITI
2 is going to assume and I'm going to assume
3 that you understood the question you were
4 answering. So if you have any kind of
5 concerns or questions about it, please let
6 me know and I will do my best to try and
7 rephrase it; okay?

8 A. For you to clarify it?

9 Q. Yeah. That's right. If I ask a
10 question, just because I'm wearing a tie and
11 I tell you I'm a lawyer, doesn't mean I can
12 ask a clear question, sometimes I do,
13 sometimes I don't.

14 So what I'm asking you is that
15 if I do ask a question which you believe is
16 unclear, let me know and I will do my best
17 to clarify it; okay?

18 A. That's fine.

19 O. Where are you currently working?

20 A. I currently work for Jamaica
21 Hospital.

22 Q. What do you do for Jamaica
23 Hospital?

24 A. I'm an emergency medical
25 technician.

Page 9

1 S. SANGENITI

2 Q. How long have you worked at
3 Jamaica Hospital?

4 A. Approximately, since 2008.

5 Q. Have you been an emergency
6 medical technician at Jamaica Hospital since
7 2008?

8 A. Yes.

9 Q. Have you had any other forms of
10 employment since then?

11 A. I have.

12 Q. What?

13 A. I work for the New York City
14 Fire Department Emergency Medical Service.

15 Q. How often do you work for them?

16 A. Five days a week.

17 Q. What's your position there?

18 A. Emergency medical technician.

19 Q. Do you consider yourself as
20 being dually employed by Jamaica Hospital
21 and the fire department?

22 MR. RADOMISLI: Objection to
23 form. You can answer.

24 MS. PUBLICKER METTHAM:
25 Objection.

1 S. SANGENITI

2 A. No. They said that they were
3 extended period. They were extended. So we
4 wouldn't wait.

5 Q. So it was going to take too long
6 for them to arrive?

7 MR. SMITH: Objection to form.

8 A. Yes.

9 MR. PUBLICKER METTHAM: I have
10 no further questions.

11 EXAMINATION BY

12 MR. LEE:

13 Q. I represent Dr. Isakov. Did you
14 ever speak to Dr. Isakov about Mr.
15 Schoolcraft?

16 A. No.

17 Q. Did you ever speak to Dr.
18 Aldana-Bernier about Mr. Schoolcraft?

19 A. No.

20 Q. Did you speak to any medical
21 personnel about Officer Schoolcraft?

22 A. No.

23 MR. RADOMISLI: At Jamaica
24 Hospital?

25 Q. At Jamaica Hospital?

Page 172

1 S. SANGENITI

2 A. No.

3 Q. When you went with the patient
4 to the triage area, did you speak to the
5 triage nurse about Officer Schoolcraft?

6 A. No, actually.

7 Q. Did you give any instructions to
8 anyone at the hospital concerning the care
9 and treatment of Officer Schoolcraft?

10 A. No.

11 Q. What is mask that you mentioned
12 earlier, the computer terminal?

13 A. Oh, the MDT mask, it's mobile
14 data terminal. It's when any ambulance
15 within the 911 system will receive an
16 assignment, they receive it through the
17 mobile data terminal.

18 Q. And is that a terminal that's
19 in the ambulance itself?

20 A. Yes.

21 Q. Is that data recorded someplace?

22 A. Yes.

23 Q. Was that on the sheet -- would
24 that be on this PCR?

25 A. No.

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Page 173

1 S. SANGENITI

2 Q. In this case, did the mask tell
3 you to take the patient to 34?

4 MR. SMITH: Objection to form.

5 A. To the closest 911 receiving
6 hospital.

7 Q. And that was 34?

8 A. Yes.

9 Q. And did the mask computer tell
10 you that?

11 MR. SMITH: Objection to form.

12 A. Yes.

13 Q. Mr. Smith asked you some
14 questions about whether the terminal could
15 differentiate if it was a psych call or some
16 other type of call. In this case, do you
17 know was the mask terminal showing that it
18 was a psych call or something else?

19 A. No. It would just tell you that
20 the closest hospital for psych would be 34
21 or it would tell you the closest speciality
22 unit would be 77, whichever, whichever
23 hospital you need to go to, it would
24 designate for you.

25 Q. In this case, how was it

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Page 174

1 S. SANGENITI

2 designated for you?

3 MR. SMITH: Objection to form.

4 A. Just closest 911 receiving for
5 the general, you know, for general practice.

6 Q. So the general practice hospital
7 that it told you that the patient should go
8 to was 34?

9 MR. SMITH: Objection to form.

10 A. Yes.

11 Q. Did anyone at the scene say that
12 they wanted a psychiatric evaluation for
13 Schoolcraft?

14 A. No.

15 MR. LEE: That's it. Thank you
16 very much.

17 EXAMINATION BY

18 MS. MILLER:

19 Q. When you accompanied plaintiff
20 into Jamaica, did you overhear any
21 conversations regarding plaintiff between
22 the medical personnel there?

23 A. No.

24 EXAMINATION BY

25 MR. KRETZ:

CONFIDENTIAL

Page 146

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
-----X

3 ADRIAN SCHOOLCRAFT,

4 Plaintiff,

5

Case No:

6 - against - 10 CV 06005

7

8 THE CITY OF NEW YORK, ET AL.,

9

Defendants.

10 -----X

11

111 Broadway

12

New York, New York

13

May 29, 2014

14

10:19 a.m.

15

(CONFIDENTIAL EXCERPT)

16

DEPOSITION OF STEVEN WEISS, pursuant to
17 Notice, taken at the above place, date and
18 time, before DENISE ZIVKU, a Notary Public
19 within and for the State of New York.

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Page 191

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EXAMINATION BY

MR. OSTERMAN:

Q. Brian Osterman, counsel for the

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Page 192

1 CONFIDENTIAL - S. WEISS

2 hospital.

3 A. Okay.

4 Q. You testified that you never
5 went to Jamaica Hospital?

6 A. Correct.

7 Q. And you ever directed anyone to
8 say anything to anyone at Jamaica Hospital?

9 A. No.

10 Q. Are you familiar with Dr.
11 Isakov?

12 A. No.

13 Q. You ever have any conversations
14 or contact with Dr. Isakov?

15 A. No.

16 Q. Are you familiar with Dr.
17 Aldana-Bernier?

18 A. No.

19 Q. Did you ever have any
20 conversations or contact with Dr.
21 Aldana-Bernier?

22 A. No.

23 MR. OSTERMAN: I have nothing
24 further.

25 MR. SHAFFER: Anybody else?

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CERTIFIED TRANSCRIPT

Page 198

1

2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 -----X

5 ADRIAN SCHOOLCRAFT,
6 Plaintiff,

7 - against - Case No :
8 10 CV 06005

9 THE CITY OF NEW YORK, ET AL.,
10 Defendants.
11 -----X

12 111 Broadway
13 New York, New York

14 June 23, 2014
15 10:21 a.m.

16
17 CONTINUED DEPOSITION OF KURT DUNCAN,
18 pursuant to Notice, taken at the above
19 place, date and time, before DENISE ZIVKU, a
20 Notary Public within and for the State of
21 New York.

22

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24

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Page 199

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9 JOHN LENOIR, ESQ.
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14 NEW YORK CITY LAW DEPARTMENT
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16 Attorneys for Defendant
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20 BY: RYAN G. SHAFFER, ESQ.

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22 SCOPPETTA SEIFF KRETZ & ABERCROMBIE
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27 BY: WALTER A. KRETZ, JR., ESQ.

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29 IVONE, DEVINE & JENSEN, LLP
30 Attorneys for Defendant
31 DR. ISAK ISAKOV
32 2001 Marcus Avenue
33 Lake Success, New York 11042
34 BY: BRIAN LEE, ESQ.

35

(Continued.)

36